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10/23/06  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF  
**PERCY CARTER, ET AL**  
APPLICATION NO: 10/776586  
FILED: 02/11/2004  
FOR: **LACTAMS AS MODULATORS OF CHEMOKINE RECEPTOR  
ACTIVITY**

ART UNIT: 1626  
EXAMINER: KOSACK, JOSEPH R

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Office Action dated October 2, 2006, Applicants elect, with traverse, Group I, Claims 1 - 19, drawn to compounds of formula I. In response to the requirement to elect a single disclosed species, Applicants elect Example 1, N-[(3S)-1-[(1S, 2S)-1-[(2,4-Dimethyl-benzylamino)-methyl]-2-hydroxy-pentyl]-2-oxo-pyrrolidin-3-yl]-3-trifluoromethyl-benzamide, as the species election. However, Applicants understand this requirement for election of species is for initial examination purposes only, in accordance with MPEP §803.02, and not a requirement to restrict the scope of the generic and subgeneric claims of this application to such species. If the Office Action is a requirement to restrict the scope of the generic and subgeneric claims to the elected species, Applicants traverse this requirement. Such a requirement would be improper for the reasons stated in MPEP §803.02, first paragraph. Upon a finding of allowability of the species, it is respectfully requested that the search be extended to the full extent of the invention as claimed. Applicants reserve the right to traverse the designation of the scope of an independent invention.

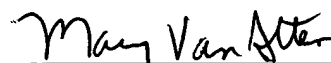
Applicants elect Group I and elect example 1 in response to the requirement to elect a single species. Example 1 is a compound of formula (I) wherein Z is  $-NR^{18}C(O)-$  wherein  $R^{18}$  is H; Q is O, X is  $-CHR^{16}NR^{17}-$  wherein  $R^{16}$  and  $R^{17}$  are hydrogen;  $R^1$  is phenyl;  $R^2$  is phenyl;  $R^4$  is methyl;  $R^5$  is  $CF_3$ ,  $R^3$  is  $(CRR)_qOH$ , wherein R is H and propyl and q is 1;  $R^6$ ,  $R^7$ ,  $R^{12}$ ,  $R^{13}$  and  $R^{14}$  are H; m and l are 0; n is 1; and a is a single bond.

Rejoinder of the method of treating claims of Group II upon a finding of allowable compound claims of Group I is respectfully requested.

In view of the foregoing, Applicants submit that the application is now in condition for examination on the merits. Early notification of such action is requested.

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